

REMARKS

Reconsideration of the Office Action of February 19, 2008 is requested.

A. 35 U.S.C. § 112, Second Paragraph

In the Office Action, claims 4, 17, 22 and 29 were rejected under 35 U.S.C. § 112, second paragraph, for being indefinite in meaning. In particular, the Examiner asserted at page 2 of the Office Action that it was unclear “how to coordinating (sic) the management of the technical parameter” and on what factor to coordinate the management. Applicants traverse the rejection in that the claims are clear in meaning. The Examiner appears to be attempting to limit the recited “coordinating” to be based on a particular factor. This is improper. Applicants are not required to limit their invention to a particular embodiment. As long as the claims are supported by the specification and clear in meaning, as they are in this case, they are proper under 35 U.S.C. § 112, second paragraph, and so the rejection is improper and should be withdrawn.

B. 35 U.S.C. § 103

1. Raverdy et al. and Daniels

a. Claims 2-6

Claims 2-6 were rejected under 35 U.S.C. § 103 as being obvious in view of Raverdy et al., U.S. Patent Application Publication No. US 2002/0068631 A1, and Daniels, U.S. Patent No. 5,758,126. Applicants traverse the rejection for several reasons. First, independent claim 4 recites presenting a message regarding at least one technical parameter of a remote processing system on a

Appl. No. 09/945,188
Amdt. dated April 21, 2008
Reply to Office Action of February 19, 2008

user interface for review, wherein a technical parameter includes information related to operation characteristics of a remote data processing system. The Examiner at page 4 of the Office Action has asserted that Raverdy et al.'s disclosure of presenting the certificate 810 regards presenting a message as recited in claim 4. A review of paragraphs 0082-0087 of Raverdy et al. reveals that the certificate regards a document that includes information pertinent to participants in a game. Such information can include the identity of one or more award winners, owner information, certificate usage history, etc. (See paragraphs 0083-0084 of Raverdy et al.). Since the information on the certificate does not pertain to a technical parameter as defined in claim 4, the Examiner's assertion has no merit. Furthermore, there is no reason given in Daniels et al. to provide information related to operation characteristics of a remote data processing system on Raverdy et al.'s certificate. Accordingly, the rejection is improper.

The rejection is improper for the additional reason that independent claim 4 recites that "coordinating the management of the at least one technical parameter for trading partners within a trading group" is done automatically and without user involvement. As conceded by the Examiner at page 4 of the Office Action, Raverdy et al. does not disclose such automatic coordinating. The Examiner has relied on Daniels et al. to cure the deficiencies of Raverdy et al. In particular, the Examiner has relied on Daniels et al.'s EDI transfer of data as providing a reason to alter Raverdy et al. to coordinate management of at least one technical parameter. Applicants disagree. Daniels discloses that EDI "is the direct application to application transmission of business documents such

Appl. No. 09/945,188
Amdt. dated April 21, 2008
Reply to Office Action of February 19, 2008

as purchase orders, invoices and remittance order” (Col. 1, ll. 29-32). There is no disclosure in Daniels et al. that such data are to be used to coordinate management of a technical parameter that includes information related to operation characteristics of a remote data processing system as required by claim 4. Accordingly, the rejection is improper and should be withdrawn.

The rejections of 2, 3, 5 and 6, which depend directly on claim 4, should be withdrawn for the reasons stated above with respect to claim 4.

b. Claims 17-21

Claims 17-21 were rejected under 35 U.S.C. § 103 as being obvious in view of Raverdy et al. and Daniels. Applicants traverse the rejection. In particular, independent claim 17 recites “an interpreter for interpreting, without human intervention, the report message for presentation on a user interface and for automatically, without user involvement, coordinating the management of the at least one technical parameter for trading partners within a trading group.” As mentioned above at pages 13-15 in Section B.1.a, neither Raverdy et al. nor Daniels discloses: 1) presenting a report message on a user interface that regards a technical parameter that includes information related to operation characteristics of a remote data processing system and 2) automatically, without user involvement, coordinating management of a technical parameter. Accordingly, the rejection is improper and should be withdrawn.

Appl. No. 09/945,188
Amdt. dated April 21, 2008
Reply to Office Action of February 19, 2008

The rejections of claims 18-21, which depend directly on claim 17, should be withdrawn for the reasons stated above with respect to claim 17.

Note that claim 17 has been amended to correct an obvious typographical error. Accordingly, the amendments made to claim 17 are not being made for reasons related to patentability as defined in *Festo Corporation v. Shoketsu Kinzoku Kogyo Kabushiki Co., Ltd.*, 234 F.3d 558, 56 USPQ2d 1865 (Fed. Cir. 2000) (*en banc*), *overruled in part*, 535 U.S. 722 (2002).

c. Claims 22-28

Claims 22-28 were rejected under 35 U.S.C. § 103 as being obvious in view of Raverdy et al. and Daniels. Independent claim 22 recites “the remote data processing system is revised automatically and without intervention of a user when the received technical parameter data does not comply with the retrieved reference technical parameter data.” For reasons similar to those given above at pages 13-15 in Section B.1.a, neither Raverdy et al. nor Daniels discloses revising automatically without intervention of a user a remote data processing system when received technical parameter data does not comply with retrieved reference technical parameter data. Accordingly, the rejection of claim 22 is improper and should be withdrawn.

The rejections of claims 23-28, which depend directly on claim 22, should be withdrawn for the reasons stated above with respect to claim 22.

2. **Raverdy et al., Daniels and Kidder**

Claims 8-16 and 29 was rejected under 35 U.S.C. § 103 as being obvious in view of Raverdy et al., Daniels and Kidder, U.S. Patent No. 6,455,774. Independent claim 29 recites that the revision of the remote data processing system is done automatically and without user involvement should “the received technical parameter data of the message does not comply with retrieved reference technical parameter data”, wherein technical parameter data includes information related to operation characteristics of a remote data processing system. Since not one of Raverdy et al., Daniels or Kidder discloses the recited revision of the remote data processing system, the rejection of claim 29 is improper and should be withdrawn.

The rejections of claims 8-16, which depend directly or indirectly on claim 29, should be withdrawn for the reasons stated above with respect to claim 29.

The rejections of claims 11 and 14 should be withdrawn for the additional reason that Raverdy et al. fails to disclose installing an upgrade software module after receipt of confirmation that a requisite hardware upgrade has been successfully completed as recited in the claims. For example, the passages of Raverdy et al. relied on by the Examiner at pages 15 and 18 of the Office Action are silent as to the recited receipt of confirmation. Since there is no reason based on Daniels, Kidder or other sources to alter Raverdy et al. to perform the recited receipt of confirmation, the rejection is improper and should be withdrawn.

The rejections of claims 12 and 15 should be withdrawn for the additional reason that Raverdy et al. fails to disclose delaying transmission of a revision (claim 12) or a desired version of an upgrade software module (claim 15) if same software components (claim 12) or same software modules (claim 15) are not specified in the reference technical parameter data and the received technical parameter data. The passages of Raverdy et al. relied on by the Examiner at pages 15-17 and 19 of the Office Action are silent as to the recited delaying transmission. Since there is no reason based on Daniels, Kidder or other sources to alter Raverdy et al. to perform the recited delaying transmission, the rejection is improper and should be withdrawn.

The rejection of claim 16 should be withdrawn for the additional reason that Raverdy et al. fails to disclose revising a reference parameters storage as recited in the claim. The passages of Raverdy et al. relied on by the Examiner at page 17 of the Office Action are silent as to the recited revising. Since there is no reason based on Daniels, Kidder or other sources to alter Raverdy et al. to perform the recited revising, the rejection should be withdrawn.

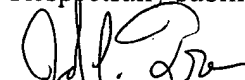
CONCLUSION

In view of the arguments above, Applicants respectfully submit that all of the pending claims 2-6 and 8-30 are in condition for allowance and seek an early allowance thereof. If for any reason, the Examiner is unable to allow the application in the next Office Action and believes that

Appl. No. 09/945,188
Amdt. dated April 21, 2008
Reply to Office Action of February 19, 2008

an interview would be helpful to resolve any remaining issues, the Examiner is respectfully
requested to contact the undersigned attorneys at (312) 321-4200.

Respectfully submitted,



John C. Freeman
Registration No. 34,483
Attorney for Applicants

BRINKS HOFER
GILSON & LIONE
P.O. Box 10395
Chicago, Illinois 60610
(312) 321-4200

Dated: April 21, 2008